



General Assembly

February Session, 2004

Raised Bill No. 5535

LCO No. 1915

01915_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING ENVIRONMENTAL JUSTICE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) As used in this
2 section:

3 (1) "Environmental justice" means the equal protection and
4 meaningful participation of all people in the development,
5 implementation and enforcement of environmental laws, regulations
6 and policies;

7 (2) "Meaningful involvement" means (A) the potentially affected
8 group of people are provided an appropriate opportunity to
9 participate in decisions about a proposed activity that will affect their
10 environment and health, (B) participation by the public can influence a
11 regulatory agency's decisions, (C) concerns of all participants will be
12 considered in the decision-making process, and (D) the decision
13 makers seek out and facilitate the involvement of those potentially
14 affected; and

15 (3) "Overburdened community" means those towns, cities or

16 boroughs that have the highest amounts of air pollutants, toxic
17 emissions, gallons of waste water treated, or tons of solid waste stored,
18 transferred, treated or disposed.

19 (b) (1) The Department of Environmental Protection shall identify
20 and compile a list of overburdened communities. The department shall
21 ensure that there is meaningful involvement in compiling such list.
22 Not later than March 1, 2005, and annually thereafter, said department
23 shall report, in accordance with section 11-4a of the general statutes, to
24 the joint standing committees of the General Assembly having
25 cognizance of matters relating to public health and the environment,
26 regarding the communities on the list and the process by which the list
27 was compiled.

28 (2) Not later than June 1, 2005, and annually thereafter, the
29 Department of Environmental Protection shall notify the chief elected
30 official, the health department and the zoning board of each town, city
31 or borough found by the department to be an overburdened
32 community regarding the town, city or borough's inclusion on the list
33 of overburdened communities.

34 (c) (1) Not later than January 1, 2005, the Department of
35 Environmental Protection, the Department of Public Utility Control
36 and the Connecticut Siting Council shall each adopt regulations, in
37 accordance with the provisions of chapter 54 of the general statutes,
38 which describe the departments' or council's procedures concerning
39 the consideration of environmental justice in granting licenses, permits
40 or authorizations, taking action that could have human health or
41 environmental effects, or in other decision-making processes.

42 (2) Not later than January 1, 2005, the Department of Environmental
43 Protection, the Department of Public Utility Control and the
44 Connecticut Siting Council shall each adopt regulations, in accordance
45 with the provisions of chapter 54 of the general statutes, describing
46 actions each department or council shall take to reduce the incidence of
47 pollution in overburdened communities.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

Statement of Purpose:

To ensure the consideration of environmental justice in the conduct of business by the Department of Environmental Protection, the Department of Public Utility Control and the Connecticut Siting Council.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]